



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR STEPHEN WOODS

MINUTES

**NEWINGTON TOWN COUNCIL MEETING
HELEN NELSON ROOM – TOWN HALL
7:00 P.M.**

JANUARY 24, 2012

Mayor Woods called the meeting to order at 7:00 p.m. in the Town Council Chambers of the Newington Town Hall.

I & II PLEDGE OF ALLEGIANCE & ROLL CALL

Councilors Present

Councilor Borjeson
Councilor Bottalico
Councilor Castelle
Councilor Cohen
Councilor DelBuono
Councilor Klett
Councilor Nagel
Mayor Woods
Councilor McBride – absent

Staff Present

John Salomone, Town Manager
Ann Harter, Finance Director
Lisa Rydecki – Deputy Finance Director
Lou Jachimowicz – Business Manager, Board of Education
Jaime Trevethan – Executive Assistant to the Town Manager
Linda Irish-Simpson – Clerk of the Council

Also Present

Sen. Paul Doyle – 9th District
Rep. Rick Lopes – 24th District
Rep. Sandy Nafis – 27th District
Rep. Antonio Guerrero – 29th District
Dr. Finkelstein - Chairman, Board of Education

III PUBLIC PARTICIPATION – (in person/via telephone)

Robert Pleines, 2162 Stanley Street, New Britain: He stated he was against Costco being allowed to build on public land and hoped that Newington if given the opportunity by the State, would purchase the land and keep it for open space.

Cynthia Pleines, 2161 Stanley Street, New Britain: She hoped, since the Town of New Britain is contractually obligated to Costco, that Newington will purchase the piece of land from the State if it is offered. Mrs. Pleines asked that Newington consider writing the DEP to encourage them to keep the land as open space.

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Holly Harlow, 11 Edmund Street: She had a list of priorities she wished the Council to consider for the year: 1) Balf Property acquisition 2) Encourage the development of a closure plan for the Balf Property 3) Budget funds for an archeological study done on the Marcap property when the deed is transferred to the Town 4) Preserve more of the mountain on the Cedar Crest Hospital site 5) Hire a Town Planner interested in preserving open space 6) Include money in each year's budget for open space.

Stanley Sobieski, 26 Deepwood Drive: He had two comments for the Council: 1) He believed that State property would be offered to the local town first as long as it was used for open space or wetlands. If the Town sold the property, the Town would have to pay the State the fair market value of the property. 2) Piper and Mill Brooks – there is undermining occurring and pulling trees off the banks and into the brooks. Mr. Sobieski felt that these banks should be stabilized by the Town.

Eric Barsch (Herpetologist for the Tri-State area) – He came to discuss the wetlands associated with the Rt. 9 bypass that Costco requested. He stated there were three endangered species of turtles that live on or around the property (Eastern Box Turtle, Spotted Turtle, North American Wood Turtle). He explained that once the wetlands were gone it would take hundreds of years to create them again. He would like to see the State keep that piece of property as wetlands and stated Costco had no respect for the wetlands.

Rose Lyons, 46 Elton Drive: She thanked the State Representatives and Senator for attending, for the grant money for Cedar Mountain and wanted to go on record against the busway. She asked that when the Representatives attend future meetings, more publicity is given so more of the public can attend. Mrs. Lyons agreed with Mr. Sobieski regarding the two brooks in Town. She had gone to the DEEP, Newington Conservation Commission, Town Engineer, Town Planner, and Town Assessor to get answers regarding these brooks and the lack of maintenance. Mrs. Lyons requested that the Town look into getting better recording equipment for all meetings in Town since the quality was so poor.

M Kenny, 53 Crestview Drive: She stated that she was against the busway and worried people considered it a done deal. Mrs. Kenny further stated that driving around Town she noticed there were lights out in the center of Town, no bike racks, two lights in Market Square were out, the Police Department sign reads "LICE" Department and no signs directing people to Clem Lemire Field. Mrs. Kenny felt a priority should be maintaining facilities already in Town.

IV CONSIDERATION OF OLD BUSINESS

A. Ordinance Amendment: Chapter 332, Refuse and Recyclables

Councilor Castelle moved the following:

RESOLVED:

That the Newington Town Council hereby adopts amendments to the Newington Code of Ordinances Chapter 332 entitled "Refuse and Recyclables", a copy of said amendments is attached to the resolution.

Motion was seconded by: Councilor Cohen

Motion passed 8 – 0 (Councilor McBride – absent)

B. Job Description: Town Planner

Councilor Borjeson moved the following:

RESOLVED:

The Newington Town Council hereby approves of amendments to the "Classification and Pay Plan" by approving the revised Town Planner (A-11) job description.

Councilor Klett discussed several changes to the job description not included in the Councilors' packet. Jaime Trevethan gave updated copies to all Council members.

There was discussion by Councilor Bottalico and Klett regarding changing the classification to A-10 instead of A-11. John Salomone discussed that A-11 had a wide enough range to hire someone in mid-range and allow for

increases for several years. He stated that the A-10 range was \$62k - \$113k and A-11 range was \$67k - 122k. Mr. Salomone stated that the ad for Town Planner indicated a hiring range of \$80-90k. Councilor Bottalico felt that the ranges of both A-10 and A-11 were too broad and should be looked at. Mr. Salomone explained that the ranges get indexed with each salary increase so the base stayed the same but the high end went up.

Councilor Bottalico asked who set the ranges for each group and Mr. Salomone explained the Council would make changes to the range. Mayor Woods stated that the wide ranges of these categories should be reviewed at another meeting. Jaime Trevethan stated that procedurally the Council could not change the Job Description from A-11 to A-10 without amending the entire classification pay plans from A-1 to A-13.

The motion was seconded by Councilor Klett

The motion passed on a roll call vote: 8 - 0

In favor: Councilor Borjeson
Councilor Bottalico
Councilor Castelle
Councilor Cohen
Councilor DelBuono
Councilor Klett
Councilor Nagel
Mayor Woods
Councilor McBride - absent

V CONSIDERATION OF NEW BUSINESS

A. Visit with Legislative Delegation

Mayor Woods introduced the State Representatives and Board of Education members. He thanked the work the Representatives did obtaining grants for the Town, including Cedar Mountain and for the work they did over the past three years to bring as much money as they did to the Town.

Councilor Bottalico had questions on the State Statute on Education, Magnet Schools and preschool. He asked about children who are listed as living on the Berlin Turnpike and it was explained that the owners of the motels have children living there and some families lived in motels (transients) who had children entitled to attend Newington schools.

Councilor Bottalico was concerned regarding the funding for magnet schools and the amount being charged to the Town (\$564k). He stated that if a student quit after a few weeks, the Town was still responsible for the tuition for that student. Rep. Nafis explained that the State is aware of that problem and it will be looked at. Currently she stated there is no consistency between the tuition charged for magnet schools and that towns receive money for Project Choice which Newington used to offset the charge for tuition. The students are counted in DCS figures and some at the State feel that could be a double payment for children. Rep. Nafis stated that the Governor will focus on education in the coming year but they have not taken on the funding piece yet.

Mayor Woods expressed his concern that the Town has no say in what the tuition is per student. Councilor Castelle stated that the Council is in sympathy with the goal of Sheff v. O'Neil but would see the need for the rewriting of the entire tax code, such as a graduated income tax instead of a regressive property tax to fix the DCS formula funding. Rep. Nafis stated that there will not be any tax code rewriting during the current session. Rep. Guerrero stated that DCS funding would remain flat for the coming year and Sen. Doyle stated that he was proud of the fact that Connecticut had a budget which did not include any further property taxes and that the Governor was committed to flat funding.

Rep. Nafis explained that universal preschool has become more important, especially in urban areas in terms of the achievement gap. She stated that the mandate for mandatory preschool is not in the Governor's plan yet.

Mayor Woods asked the representatives to get back to him regarding DCS money covering the cost of preschool since Newington does not pay for any preschool at this time.

Councilor Klett brought up the subject of the economy, if it was turning around and job prospects for people who want to be able to keep their houses. These individuals cannot afford higher taxes and hoped it would not

happen. She asked about the tabulating of what types of jobs have been lost in Connecticut versus the type of jobs being created here. Councilor Klett's concern was that insurance, engineering and accounting jobs were being lost and wondered if lower paying jobs were replacing them. Rep. Lopes replied that many of the new jobs will be entry level but hoped higher level would be added. Rep. Nafis stated that the State gave tax credits for hiring, training, and equipment and indicated people were being hired because of it. Rep. Guerrero also stated that although unemployment figures are higher than he would like to see, he was very glad that Jackson Labs would be bringing hundreds of jobs to Connecticut and the State needs to be pro-business by marketing and generating new jobs.

Councilor Klett asked about the possibility of putting tolls back on the highways. Rep. Guerrero stated that with more efficient cars and hybrids on the roads, the gas tax cannot be relied on to fix the infrastructure. He discussed this with the Governor who was concerned that any money obtained through tolls be put in a "lock box" to be used exclusively for infrastructure.

Councilor Klett asked about the downgrading of the State's bonding. Rep. Nafis was surprised at the timing of the downgrading since the Governor has structurally changed the budget picture. Sen. Doyle was also surprised about the timing of it since the current budget was more realistic.

Councilor Klett mentioned there was a nursing home corporation in the area involved in an economic lock out for several months. A nursing home in Wethersfield requested to close and had served over 100 employees with layoff notices. She expressed concern that should the same thing happen in Newington there would be a cost to the Town for police coverage as well as residents who could be laid off. Sen. Doyle stated that he and Rep. Guerrero were actively involved in the closing process of the Wethersfield Nursing Home and shared her frustration.

Councilor Cohen expressed her concern for the roads and bridges needing repair and the possibility of having an EZpass type system on the roads. She also stated that increased gambling, liquor sales on Sunday and restaurants serving liquor later in the evening, was not the way to raise money. Councilor Cohen also felt that it would be appropriate to raise the income tax on multi-millionaires.

Councilor Nagel thanked the representatives for attending and asked if they had any insight into the budget for the year regarding grants or funds which might not be available due to lack of State funds. Rep. Nafis stated that the funds for the PSAP and Brownfield grants were still available. Rep. Guerrero explained that the Governor was looking for bonding projects to be shovel ready so that people could be put back to work.

Councilor Nagel asked about the possibility of unfunded mandates being passed this year and the representatives were hoping that none would be passed. Sen. Doyle indicated that flat funding should be considered at Town budget time.

Councilor Nagel asked about the recent group attempting to redefine the definition of autism. Some of the identifying signs would be eliminated making certain children ineligible for benefits. Rep. Nafis stated that at present this was federally driven but asked that Councilor Nagel stay in touch with her on the subject.

Dr. Finkelstein brought up unintended unfunded mandates by the State and gave bullying as an example. The Town is required to have a Climate Coordinator to facilitate the climate within the school system. This position is an unfunded mandate but one that must be filled.

Mayor Woods expressed concern about pesticide use on elementary and middle school grounds. He explained that all the grassy areas and in particular athletic fields cannot be treated for broadleaf weeds or clover. The problem created bees being attracted to the clover when children were playing. The intention was for a safer playing area but has caused towns to re-sod fields regularly since the fields can't be treated. Mayor Woods asked the representatives to review the problem.

Rep. Guerrero urged all citizens of Newington to attend public hearings in the future to give their opinions on these subjects.

B. Room Naming – Curtis Ambler Room (L-10)

Councilor Klett gave an overview on the request that the Curtis Ambler Room be renamed to the current meeting place of the TPZ. His daughter and step-daughter are in favor of the move. She explained that the

Council will have to take action on the renaming at the next Council meeting. Councilor DelBuono expressed her appreciation that the matter was brought to the Council's attention for action. Councilor Klett asked Mr. Salomone about the personal items removed from the old Curtis Ambler Room which were missing. Mr. Salomone indicated that these items were in storage and would have to be located.

C. Mid-Year Transfers

John Salomone gave an overview of the request. The transfer being requested per the Charter can only be done after January 1 of each year. Most of the funds being transferred have not been spent he explained. The bulk of the debris removal has not been paid until the transfer of funds. Mr. Salomone said that hard dollars had been spent for overtime, ancillary services including parks department, ambulance, school personnel, etc. He indicated each Councilor had a cost breakdown. Mr. Salomone explained that Hurricane Irene cost the Town about \$64k in emergency needs and additional cleanup of 6,000 yards of material which had to be disposed of. Hurricane Irene was FEMA eligible for 75% reimbursement. Mr. Salomone estimated that \$141k of eligible reimbursement and the Town would break even.

Mr. Salomone explained the snow storm cost the Town approximately \$1.4 million, which was FEMA eligible for 75% reimbursement as well. The cost of debris removal was \$980k with the contractor removing 36,000 yards of debris and the Town employees removing 7,500 yards. Additional expenses included monitoring of debris collection of \$119,000, the shelter cost \$36,000, the removal of hanging limbs was \$40,000 (ongoing), police overtime was \$35,000, fire department costs were \$7,000, removal of debris from the landfill was \$5,000. After reimbursement from FEMA the cost to the Town would be approximately \$300,000. The reimbursement from Hurricane Irene had not been received by the Town and not expected before the end of the fiscal year.

Mr. Salomone explained that the second transfer would adjust the salary accounts by taking them from contingency funds for the salary increase that was granted by the Council. The amount had already been budgeted, and the transfer would be an accounting procedure.

Ann Harter, Finance Director, indicated that Town revenues were up \$900k due to the change from when the budget was adopted they thought they would lose PILOT in lieu of taxes for MM&E. It was restored through the increase in sales tax, the conveyance tax and the business use tax. Mrs. Harter indicated that \$395k was received from the Board of Education Health Benefit Fund credit.

Councilor Cohen asked Mrs. Harter about the deficit balance on expenditures of \$1.4 million but showed an appropriation of \$900k and were asking for a transfer of \$1.5 million. Mrs. Harter explained that the \$900k was on the revenue side and must take the appropriation out the fund balance. Councilor Cohen asked whether the transfer could be done in installments and Mrs. Harter stated the \$1.4 million was a good amount and she might have to go back to the Council to transfer between departments at a later date.

Mayor Woods explained that action would be taken on the request at the next Council meeting. He thanked Mr. Salomone, Tom Molloy, Bruce Till, Ed Freidenberg, Diane Stone, Police Chief, Dr. Collins, Ambulance staff and everyone who came together during the storm for a great job.

VI RESIGNATIONS AND APPOINTMENTS

- A. Town Plan and Zoning Commission**
 - 1. Accept Resignation – Gary Turco (Alternate)**

Councilor Klett moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the resignation of Gary Turco as an Alternate member of the Town Plan and Zoning Commission in accordance with correspondence dated January 17, 2012.

The motion was seconded by Councilor DelBuono.

The motion passed 8 – 0 (Councilor McBride – absent)

Councilor Klett asked if the Environmental Quality Commission vacancies in the Fire Department, NVA, and public representatives should be appointed by a particular party and if so, which party would be responsible for appointments. Mr. Salomone will get back to Councilor Klett with the information.

Councilor Bottalico asked for a list of committees that should be dissolved. Mayor Woods indicated that Jeff Baron was in the process of closing these committees and was behind due to the recent storms. He hoped to have it completed by the spring.

Councilor Klett asked for a report on any committee in the last six months that have had a problem meeting due to a lack of a quorum. She wanted an idea as to where trouble spots are currently.

VII TAX REFUNDS (action requested)

Councilor Klett moved the following:

RESOLVED:

That property tax refunds in the amount of \$ 24,635.37 are hereby approved in the individual amounts and for those named on the "Requests for Refund of an Overpayment of Taxes," certified by the Revenue Collector, a list of which is attached to this resolution.

The motion was seconded by Councilor Cohen.

The motion passed 6 – 0 (Councilor McBride – absent)
Abstained: Councilors DelBuono and Klett

VIII MINUTES OF PREVIOUS MEETINGS

A. Public Hearing – January 10, 2012

A motion was made to approve the Public Hearing minutes by Councilor Cohen. The motion was seconded by Councilor Nagel.

The motion passed 6 – 0 (Councilor McBride – absent)
Abstained: Councilors DelBuono and Klett

B. Regular Meeting – January 10, 2012

Councilor Cohen indicated that on page 8 –in the middle paragraph it should have read "March" not "May."

A motion to approve the Regular Meeting Minutes of January 10, 2012 was made by Councilor Cohen.

The motion was seconded by Councilor Nagel.

The motion was passed 6 – 0 (Councilor McBride – absent)
Abstained: Councilors DelBuono and Klett

IX WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

John Salomone stated that Jaime Trevethan was working on the Fire House Tour which is tentatively set for February 6, 2012 at 6:30 p.m. Two Councilors would not be able to attend and he wanted the Council to decide if another date should be picked to accommodate them. Mayor Woods thought that anyone who could not make the February date could contact one of the Fire Commissioners for another date.

John Salomone reminded all Councilors of the upcoming retreat at Indian Hill Country Club, which is open to the Public. A light breakfast and lunch will be served. He stated that a demonstration will be given on a paperless society with tablets available for use as well as setting short term goals and defining long term goals.

Councilor Castelle mentioned that there will be a meeting the Rules Committee on February 14, 2012 at 5:30 p.m., which will cover housekeeping issues.

Councilor Bottalico questioned the Police Overtime report and was getting nervous at the amount. He asked if the storm overtime was included in the last report which Mr. Salomone said that the overtime from Irene was included and part of the overtime from the second storm. Mayor Woods stated that some of the money will be recouped through FEMA. Mr. Salomone will include an additional column on his spreadsheet to indicate what the storm overtime actually was.

X COUNCIL LIAISON/COMMITTEE REPORTS

Conservation Committee: Councilor Nagel gave an overview of the recent meeting he attended. He stated the MDC had a clean water project for the past several years. The MDC will be retrofitting all their major pipes in the Great Hartford area and explained the process mainly because of sewer hole covers and the possibility of leakage and how they would be repaired. The Committee explained the first step of a project including invasive plants and how to determine what plants were in Newington and how to deal with them.

School Code Compliance Committee: Councilor Nagel attended this meeting and it was explained there was a problem with the sub-contractor. A plan was put in place to attempt to get the sub-contractor to do what he was supposed to do and have it done in an acceptable manner to State codes. The Committee also discussed the project at the High School involving the auditorium and music areas where asbestos was discovered. This coming summer the asbestos will be removed. Other issues involve wheel chair accessibility and the wheel chair not fitting in the same place or hallway so interior structures will have to be modified. These changes may require some funding that is outside of the School Code Compliance Committee.

Downtown Building Committee: Councilor Bottalico and Mayor Woods attended this meeting. Several years ago \$40k was put into a campus wide study of the outside of the entire campus including the Town Hall, Police Department, Fire Campus, and all parking at Mill Street. The Mayor wanted to ensure that the study would be done and out to a contractor. He also wanted to ensure that whenever a new addition is planned for the Library, a spot had been allocated prior and parking would have to work around it. Another project to be planned will be a new roof for Town Hall and the costs involved. The roof for the Transition Academy had been approved but the rest of Town Hall was on hold to determine what would be left on the rest of the building.

Councilor Klett wanted to remind Councilors Borjeson and Bottalico of a CIP meeting on Thursday, at 6:15 p.m. She also mentioned the recently held Fire Commissioners meeting. The commissioners were looking forward to the tour of their facilities but mentioned their concern about replacement equipment costs because there was only a certain life span on the equipment.

Councilor Castelle mentioned that the Standing Insurance Committee would be meeting on Thursday and there was no quorum. The committee will be reviewing property liability and workers comp.

XI PUBLIC PARTICIPATION – IN GENERAL

None

XII REMARKS BY COUNCILORS

Councilor Bottalico received a resident complaint regarding the rotary answering service in the Police Department. When a call is placed to the department, a citizen must go through the numbers to get the dispatcher. He wondered when this change occurred. Mr. Salomone was not aware of this and will get back to the Councilors on it.

Councilor Nagel had gotten a complaint from a couple of business owners regarding a homeless person harassing their customers. This person demanded cardboard for a sign but also demanded the employees write the sign for him. Councilor Nagel wondered what could be done to stop this and Mr. Salomone stated he would look into it and get back to the Council.

Mayor Woods received a letter from a resident regarding unsolicited For Sale signs by realtors from surrounding towns. When they are removed, they are quickly restored but thought a letter could be written to the realtors.

Councilor Cohen stated that at times citizens look at the large amount of unappropriated funds but tonight was a good reason to have these funds available.

Councilor Bottalico mentioned that he had asked John Salomone to explain how CIP and revenue works. He would like to have it done at a Council meeting so the public can understand as well.

XIII ADJOURNMENT

Councilor Bottalico moved to adjourn the meeting at 9:35 p.m. The motion was seconded by Councilor DelBuono. The motion was passed 8 – 0 (Councilor McBride – absent).

Respectfully Submitted,

A handwritten signature in cursive script that reads "Linda Irish-Simpson" followed by a small flourish.

Linda Irish-Simpson
Clerk of the Council